

# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,377	01/22/2004	Fujiki Yamada	2018-834	2417
23117 7	590 04/07/2005		EXAMINER	
NIXON & VANDERHYE, PC 1100 N GLEBE ROAD			TSAI, CAROL S W	
8TH FLOOR			ART UNIT	PAPER NUMBER
ARLINGTON, VA 22201-4714			2857	
			DATE MAILED: 04/07/2009	DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Sm

Office Action Summary    Examiner		Application No.	Applicant(s)					
Card S. Tsai  ASHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eathermore of tea may be a evaluate to the provision of 3 CFR 1.35(b). In or event, however, may a reply be timely filled  Eathermore of time may be available under the provision of 3 CFR 1.35(b). In or event, however, may a reply be timely filled  Eathermore of time may be servision under the provision of the statutory related will expend or reply specified above is less than thinky (0) days, a reply velian the statutory minimum of thinky (00) days will be considered limitally.  If the period for reply specified shows is less than thinky (0) days, a reply velian the statutory minimum of thinky (00) days will be considered limitally.  Any reply received by the Office lister from the mailing date of this communication, even if timely filled, may reduce any search of particular than a decident to adjust the considered limitally.  Application is FINAL.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-2 isfare pending in the application.  4a) Of the above claim(s) isfare rejected.  5) Claim(s) and g isfare rejected.  5) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filled on 22 January 2004 isfare: a) accepted or b) Opiceted to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Ac	Office Action Summers	10/761,377						
Preiod for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Editations of time may be exhibited useful to previous of 3 CPR 1.13(s), it no event, however, may a reply be timely filled of the Experimental Communication of 3 CPR 1.13(s), it no event, however, may a reply be timely filled other SX (5) MONTH'S from the melating date of the Experimental Communication of 3 CPR 1.13(s), it no event, however, may a reply be timely filled other SX (5) MONTH'S from the melating date of the Experimental Communication of the SX (5) MONTH'S from the melating date of the Experimental Communication of the SX (5) MONTH'S from the melating date of this communication, Fallules to reply white the set of extended period for reply will, by adultic part within the station of the melating date of this communication, and the state of the Communication of the Experimental Communication of the Experimental Communication of the Experimental Communication of the Communication of	Office Action Summary	Examiner	Art Unit					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extraction of time rays be available under the provisions of 37 CFR 1.35(s). In no event, however, may a rapity be timply filled  If the partied to reply specified above, the maximum statistory parties the stateory minimum of thinry (30) days, will be considered timely.  If NO period for rapit is specified above, the maximum statistory parties of will apply and will capits SIX (5) MONTH'S from the mailing date of this communication, even if timely filled, may reduce any search of the time of the mailing date of this communication, even if timely filled, may reduce any search of the time of the mailing date of this communication, even if timely filled, may reduce any search of the time of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication, even if timely filled, may reduce any search of the mailing date of this communication.  Status  I) Responsive to communication(s) filled on 22 January 2004  2a) This action is provided to the mailing date of this communication, even if timely filled, may reduce any search of the provided to the mailing date of this communicati								
THE MAILING DATE OF THIS COMMUNICATION.  Estatesized inter may be varied used the postedist code the posted to diffuse the mailing date of this communication.  If the period is may be yet with the control of the communication of the communication is the period for reply verified because has that they to diffuse the mailing date of this communication.  Fallure to reply verified is not extracted period for reply vell, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office allet than there monitor after the mailing date of this communication.  Fallure to reply vells be set or extended period for reply vell, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office allet than there monitor after the mailing date of this communication, even if timely filled, may reduce any caused patient term adjustment. See 37 CFR 1.794(b).  Status  1) Responsive to communication(s) filled on 22 January 2004.  2a) This action is FINAL.  2b) This action is FINAL.  2c) This action is FINAL.  2c) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1:9 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 1:2 and 6 is/are rejected.  7) Claim(s) 1:2 and 6 is/are rejected.  7) Claim(s) 3:5 and 7.9 is/are objected to.  8) Claim(s) 3:5 and 7.9 is/are objected to.  8) Claim(s) 3:5 and 7.9 is/are objected to estriction and/or election requirement.  Application Papers  9) The drawing(s) filed on 22 January 2004 is/are: a) accepted or b) objected to by the Examiner.  Application Papers  10) The drawing(s) filed on 22 January 2004 is/are: a) accepted or b) objected to by the Examiner.  Application Papers  11) Some **Common **Com								
1)⊠ Responsive to communication(s) filed on 22 January 2004.  2a)□ This action is FINAL. 2b)⊠ This action is non-final.  3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)☑ Claim(s) 1-9 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)□ Claim(s) 1.2 and 6 is/are rejected.  7)□ Claim(s) 1.5 and 7-9 is/are objected to .  8)□ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)□ The specification is objected to by the Examiner.  10)☒ The drawing(s) filed on 22 January 2004 is/are: a)☒ accepted or b)□ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTC-152.  Priority under 35 U.S.C. § 119  12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)☒ All b)□ Some * c)□ None of:  1.☒ Certified copies of the priority documents have been received in Application No  3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1)☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) spen Notice of Draftsperson's Patent Drawing Review (PTO	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any							
2a)  This action is FINAL.  2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1.9 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) 1.2 and 6 is/are rejected.  7)  Claim(s) 3.5 and 7.9 is/are objected to.  8)  Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on 22 January 2004 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1.  Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Informal Patent Application (PTO-152)	Status							
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)	1) Responsive to communication(s) filed on 22 Ja	nuary 2004.						
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)	<i>,</i>	This action is FINAL. 2b)⊠ This action is non-final.						
Disposition of Claims  4) ○ Claim(s) 1-9 is/are pending in the application. 4a) Of the above claim(s)	,							
4)	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  6) ☒ Claim(s) is/are allowed.  7) ☒ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on _22	Disposition of Claims							
5) Claim(s) is/are allowed. 6) Claim(s) is/are ejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 22	4) $\boxtimes$ Claim(s) <u>1-9</u> is/are pending in the application.							
6)  Claim(s) 1.2 and 6 is/are rejected.  7)  Claim(s) 3-5 and 7-9 is/are objected to. 8)  Claim(s)  are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on 22 January 2004 is/are: a)  accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Interview Summary (PTO-413)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)	4a) Of the above claim(s) is/are withdrawn from consideration.							
7)  Claim(s) 3-5 and 7-9 is/are objected to. 8)  Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on 22 January 2004 is/are: a)  accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in his National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Interview Summary (PTO-113)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)	5) Claim(s) is/are allowed.							
8) ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☒ All b) ☐ Some * c) ☐ None of:  1. ☒ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) ☐ Notice of Informal Patent Application (PTO-152)								
Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☒ All b) ☐ Some * c) ☐ None of:  1. ☒ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-892)  ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	_							
9) ☐ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☒ All b) ☐ Some * c) ☐ None of:  1. ☒ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-992)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) ☐ Notice of Informal Patent Application (PTO-152)	8)[_] Claim(s) are subject to restriction and/or election requirement.							
10) □ The drawing(s) filed on 22 January 2004 is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) □ Some * c) □ None of:  1. ☑ Certified copies of the priority documents have been received.  2. □ Certified copies of the priority documents have been received in Application No  3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  2) □ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Application Papers							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) Notice of Informal Patent Application (PTO-152)	9)☐ The specification is objected to by the Examiner.							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Interview Summary (PTO-413) Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)	10) $\boxtimes$ The drawing(s) filed on <u>22 January 2004</u> is/are: a) $\boxtimes$ accepted or b) $\square$ objected to by the Examiner.							
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☒ All b) ☐ Some * c) ☐ None of:  1. ☒ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-892)  2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date  5) ☐ Notice of Informal Patent Application (PTO-152)	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c) None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1)  Notice of References Cited (PTO-892)  2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)								
a)	Priority under 35 U.S.C. § 119							
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892)   ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  1 Interview Summary (PTO-413)   ☐ Paper No(s)/Mail Date. ☐   ☐ Notice of Informal Patent Application (PTO-152)	a) ⊠ All b) ☐ Some * c) ☐ None of:  1. ☑ Certified copies of the priority documents have been received.							
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1)  Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Notice of Informal Patent Application (PTO-152)								
* See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1)  Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  * See the attached detailed Office action for a list of the certified copies not received.  4)  Interview Summary (PTO-413) Paper No(s)/Mail Date  5)  Notice of Informal Patent Application (PTO-152)								
Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)	·							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date  Notice of Informal Patent Application (PTO-152)	Coo the attached detailed embe denote for a list of the contined copies not received.							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. Notice of Informal Patent Application (PTO-152)								
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)	<u> </u>							
	<ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)</li> </ul>	Paper No(s)/Mail Da 5)  Notice of Informal P	nte					

#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Publication 2002/0161495 to Yamaki.

With respect to claims 1, 2, and 6, Yamaki disclose an electronic control unit comprising a first computer and a second computer, characterized in that: the first computer includes a first diagnostic means for diagnosing operation of the first computer by performing a first diagnosis and a second diagnosis, in which a first value and a second value are calculated using at least two kinds of operations, a first comparison is performed between the first value and a pre-stored first reference value for determining whether a relationship between the first value and the first reference value is normal, and a second comparison is performed between the second value and a pre-stored second reference value for determining whether a relationship between the second value and the second reference value is normal (see paragraphs 0162 and 0167); the first computer further includes a data transmitting means for sending a first set of diagnostic data regarding the first diagnosis and a second set of diagnostic data regarding the second diagnosis, respectively (see paragraph 0168); the second computer includes a data receiving means for receiving the first set and the second set of diagnostic data (see paragraph 0183); and the second computer further includes a second diagnostic means for determining whether the first diagnostic

means normally operates based on the first and the second diagnostic data (see paragraphs 0184 and 0185).

## Allowable Subject Matter

Claims 3-5 and 7-9 are objected to as being dependent upon a rejected base claim, but 3. would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tak discloses a method for diagnosing a vehicle state by connecting a vehicle equipped with an electronic control unit with a personal computer (PC) via a local area network (LAN) communication method, and then connecting the PC to a mechanic center on the Internet, being provided.

Stavnheim et al. disclose a fuel system including a pair of electronically controllable high pressure fuel pumps operable to supply high pressure fuel from a lower pressure fuel source to a high pressure fuel collection chamber having a pressure sensor associated therewith.

Tozzi discloses an apparatus for diagnosing and controlling an ignition system of an Internal combustion engine includes an ignition coil controllable by an ignition control circuit, a spark voltage sensor electrically connected to the high tension side of the ignition coil secondary Application/Control Number: 10/761,377

Art Unit: 2857

and an ion voltage sensor electrically connected to the low tension side of the ignition coil

Page 4

secondary.

**Contact Information** 

5. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Carol S. W. Tsai whose telephone number is (571) 272-2224.

The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM. If

attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S.

Hoff can be reached on (571) 272-2216. The fax number for TC 2800 is (703) 872-9306. Any

inquiry of a general nature or relating to the status of this application or proceeding should be

directed to the TC 2800 receptionist whose telephone number is (571) 272-1585 or (571) 272-

2800.

In order to reduce pendency and avoid potential delays, Group 2800 is encouraging

FAXing of responses to Office actions directly into the Group at (703) 872-9306. This practice

may be used for filing papers not requiring a fee. It may also be used for filing papers which

require a fee by applicants who authorize charges to a PTO deposit account. Please identify the

examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2800

will be promptly forwarded to the examiner.

Carol S. W. Tsai

**Primary Examiner** 

Art Unit 2857

03/29/05